

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

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|-------------------------------|---|----------------------------|
| Brandy Krug, |) | |
| |) | |
| Plaintiff, |) | C.A. No. 8:22-2245-HMH-KFM |
| |) | |
| vs. |) | OPINION & ORDER |
| |) | |
| The Travelers Home and Marine |) | |
| Insurance Company, |) | |
| |) | |
| Defendant. |) | |

This matter is before the court with the Report and Recommendation of United States Magistrate Judge Kevin F. McDonald made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 of the District of South Carolina.¹ Brandy Krug (“Krug”), proceeding pro se, alleges claims for negligence, bad faith, and breach of contract against the Defendant. In his December 19, 2022 Report and Recommendation, Magistrate Judge McDonald recommends granting the Defendant’s motion to dismiss and motion to strike.

On December 22, 2022, Krug filed a motion for reconsideration of this court’s previous November 16, 2022 order denying her motion for emergency judgment as a matter of law, and a motion for emergency hearing. On December 28, 2022, Krug filed objections to the Report and Recommendation. Objections to the Report and Recommendation must be specific. Failure to file specific objections constitutes a waiver of a party’s right to further judicial review, including appellate review, if the recommendation is accepted by the district judge. See United States v.

¹ The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

Schronce, 727 F.2d 91, 94 & n.4 (4th Cir. 1984). In the absence of specific objections to the Report and Recommendation of the magistrate judge, this court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

Upon review, the court finds that Krug's objections are non-specific, unrelated to the dispositive portions of the magistrate judge's Report and Recommendation, or merely restate her claims. Accordingly, after review, the court finds that Krug's objections are without merit. Therefore, after a thorough review of the magistrate judge's Report and the record in this case, the court adopts Magistrate Judge McDonald's Report and Recommendation and incorporates it herein by reference.

It is therefore

ORDERED that Defendant's motion to dismiss and motion to strike, docket numbers 58 and 59, are granted. It is further

ORDERED that Krug's motion for reconsideration of the court's order denying her motion for emergency judgment as a matter of law, docket number 85, and motion for emergency hearing, docket number 84, are denied.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
January 3, 2023

NOTICE OF RIGHT TO APPEAL

The Plaintiff is hereby notified that he has the right to appeal this order within sixty (60) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.